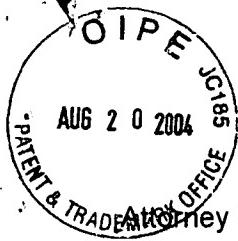


8-23-04

IFW



Attorney Docket No. 60005161-0061

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ) Group Art Unit: 3736  
Eric C. Leuthardt et al. ) Examiner: Patricia Mallari  
Application No. 10/736,474 )  
Confirmation No. 2473 )  
Filed: December 12, 2003 )  
For: Brain Computer Interface

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER TO THE U.S. PATENT AND TRADEMARK OFFICE.

DEAR SIR:

Per request made by the Examiner on August 12, 2004, enclosed is a copy of the Information Disclosure Statement dated May 4, 2004 (with references and a copy of the return postcard) as originally submitted in the above-identified patent application.

Respectfully submitted,

Dated: August 20, 2004

By:

Tara A. Nealey

Reg. No. 42,927  
SONNENSCHEIN NATH & ROSENTHAL  
Customer 26263

Express Mail No. EV 332955930 US



**ASSISTANT COMMISSIONER FOR PATENTS,  
KINDLY ACKNOWLEDGE RECEIPT BY DATE STAMPING AND RETURNING.**

Applicant(s): Eric Leuthardt et al.  
Title: Brain Computer Interface  
PCT/US # 10/736474  
Filed: December 12, 2003  
Att/Client/Matter No.:

- Transmittal Letter (•)

Specification: \_\_\_\_\_ Pages

Total Claims: \_\_\_\_\_ Pages

Abstract: \_\_\_\_\_ Pages

Drawings: \_\_\_\_\_ Sheet(s) \_\_\_\_\_ Formal \_\_\_\_\_ Informal

Declaration/POA \_\_\_\_\_ signed \_\_\_\_\_ unsigned

ADS

Assignment (w/Recordation Sheet)

Amendment/Response

Petition under 37 CFR 1.136(a)

Information Disclosure Statement w/Ref. *non-patent*

Issue Fee Payment

Request

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Fee Calculation Sheet (in duplicate)

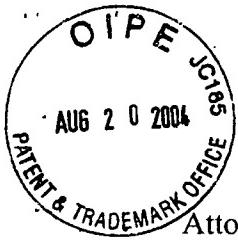
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Attorney Docket No. 60005161-0061

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: ) Group Art Unit: 3736  
Eric C. Leuthardt et al. ) Examiner:  
Application No. 10/736,474 )  
Filed: December 12, 2003 )  
For: Brain Computer Interface )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. section 1.97(b))**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

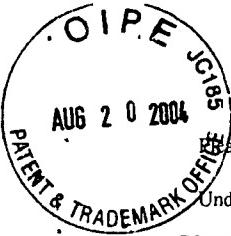
Transmittal of Information Disclosure Statement  
Page 2

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Respectfully submitted,

Dated: 5/4/2004

By: Tara A. Nealey  
Tara A. Nealey  
Registration No. 42,927  
Customer No. 26263  
(314) 259-5867



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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/735,474
				Filing Date	December 12, 2003
				First Named Inventor	Eric C. Leuthradt
				Group Art Unit	3736
				Examiner Name	
Sheet	1	of	4	Attorney Docket Number	60005161-0061

U.S. PATENT DOCUMENTS						
Examiner Initials*	CiteNo. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
/T.W./	4	4,735,208		Wyler et al.	05-05-1988	
/T.W./	2	5,638,826		Wolpaw et al.,	06-17-1997	
/T.W./	3	6,091,979		Madsen	07-18-2000	
/T.W./	4	6,304,775		Iasemidis	08-28-1990	
/T.W./	5	6,349,231		Musha	02-19-2002	
/T.W./	6	6,591,138		Fischell	07-08-2003	
/T.W./	7	6,597,954		Pless	07-22-2003	
Examiner Signature	/Teresa Woods/			Date Considered	12/22/2008	

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			Application Number	10/736,474
Sheet	12	of 4	Filing Date	December 12, 2003
			First Named Inventor	Eric C. Leuthradt
			Group Art Unit	3736
			Examiner Name	
			Attorney Docket Number	60005161-0061
<b>OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	CiteNo. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
/T.W./	8	BABILONI et al., "Linear Classification of Low-Resolution EEG Patterns Produced by Imagined Hand Movements," IEEE Trans. Rehabil. Eng., 2000, pp. 186-187, Vol. 8.		
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			Application Number	10/736,474
			Filing Date	December 12, 2003
			First Named Inventor	Eric C. Leuthradt
			Group Art Unit	3736
			Examiner Name	
Sheet	3	of 4	Attorney Docket Number	60005161-0061
<b>OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
/T.W./	19	ISAACS et al., "Work Toward Real-Time Control of a Cortical Neural Prothesis," IEEE Trans. Rehabil. Eng., 2000, pp. 196-213, Vol. 8.		
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Substitute for form 1449B/PTO			<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			Application Number	10/736,474
<i>(use as many sheets as necessary)</i>			Filing Date	December 12, 2003
			First Named Inventor	Eric C. Leuthardt
			Group Art Unit	3736
			Examiner Name	
Sheet	4	of 4	Attorney Docket Number	60005161-0061
<b>OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS</b>				
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/T.W./	33	PFURTSCHELLER et al., "Spatiotemporal Patterns of Beta Desynchronization and Gamma Synchronization in Corticographic Data During Self-Paced Movement," Clin. Neurophysiol., 2003, pp. 1226-1236, Vol. 114.		
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Examiner Signature	/Teresa Woods/		Date Considered	12/22/2008